NEW-YORK, THURSDAY, JANUARY 11, 1877.

was substantially that heretofore reported. He evi

the Republican vote massed as much as possible. At

Mouroe by this means no Republican voters were left

at some of the country precincts, and the throwing out

affecting that of Republicans. How far this

was justifiable does not clearly appear; but Mr.

Crapo seems to think the cases in which

the votes of precincts were improperly thrown out are

not very numerous and would not greatly affect the re-

sult. Mr. Crapo is evidently of the opinion that there

was considerable intimidation of voters in Louisians

prior to the last election, and that the Returning Board,

acting on evidence which was before it at the time it can-

vassed the vote, was fully justified in doing what it

vassed the vote, was fully justified in doing what it did. At the same time he admits that, taking testimony produced before the House Committee as a basis of uniquient, no honest returning board could have secured a majority for Haves. This testimony, however, it must be always remembered, is larrely ex parte, and conclusions based upon it may be considerably modified when the other side is fully heard. The Senate Committee is proceeding much more fairly, and is giving both sides an opportunity to present its whole case.

THE REBEL ELEMENT IN THE SOUTH.

ISHAM G. HARRIS THE SENATOR-ELECT FROM TEN-

NESSEE-HIS RECORD IN THE REBELLION.

BY TELEGRAPH TO THE TRIBUNE.

WASHINGTON, Jan. 10 .- The tendency ex-

hibited in all the Southern States of late to take up for

high positions men prominently connected with the re-

bellion, is exemplified in the choice for Senator for the

Isham G. Harris was Governor of the State at the time

the war broke out, and was a bitter secessionist. More

than any other man in Tennessee he was instrumental in

forcing the State into the Southern Confederacy. He

left Nashville at the approach of the Union troops, taking

with him the money in the Treasury, including a con-

siderable amount belonging to the School Fund. He

was exceedingly odious to the Union element in the

State on account of his conduct, and was at one time re-

garded as the chief cause of all the suffering and losses

that befell the State during the war. That element has

now little voice in the politics of Tennessee, as is shown by Harris's unanimous nomination by the overwhelming

THE ILLINOIS SENATORSHIP.

COMMENTS ON THE PROBABLE RETURN OF LYMAN

TRUMBULL-GENERAL SATISFACTION OF THE RE-

[BY TELEGRAPH TO THE TRIBUNE.]

WASHINGTON, Jan. 10 .- The prospect of

that the slender majority of their party in the up-

Lyman Trumbull's return to the Senate created a good

deal of comment on the part of his former associates to day. Among Republicans, after some expression of re-

per house after the 4th of March was likely to be reduced

one more by the election of a Democrat from Lilinois,

there was much satisfaction expressed that the bedy

would be reenforced by a man of Judge Trumbull's

ability and legislative experience, and that Gen. Logan's

scat would not be filled by some obscure Democratic poli-

tician. The opinion was expressed by old Senators that if any questions should arise affecting the maintenance of the great constitutional

and legal settlements resulting from the war, Judge

Trumbuil would be found acting with the Republicans

It will be remembered that during his former service in

the Senate and as Chairman of the Committee on the

Judiciary, Mr. Trumbull probably exerted more influence

than any other Senator in training the Constitutional

amendments and maturing the whole body of legislation

no reason for believing that he sympathizes with any of

the reactionary tendencies of the Democratic party. On

the other hand, he has on more than one occasion asserted

that his political position is the same as that he has al-

WASHINGTON NOTES.

A general impression prevailed at the

Capitol to-day, and is stronger about town to-night, that the Senate Committee on Counting

the Electoral Vote has either agreed or is about to

agree on two or three propositions. No authoritative statement of what its recommendations are likely to

be has been made public, but a rumor that has gained

houses shall be required for the rejection of the electoral

rote of any State, and that, in order to insure the decia-

ration of the result before the 4th of March, some joint

rule should be adopted limiting the time during which

houses. It is also very positively asserted that the Sen-

any tribunal not contemplated by the Constitution

number of Republicans have held a caucus upon the

A number of Republicans have held a cancus upon the political situation and some form of resolution to be submitted to the Republican State Legislatures in case the latter should decide to make any recommendations to Congress. The purpose of this resolution is to set forth the facts of the simulation as they are now understood by the Republicans. The meeting was held at Senator Sherman's house, and was attended by about 30 persons. Several drafts of resolutions were prescuted—some by Cabinet officers. A committee was appointed, consisting of Mesers, Hear and Lawrence, to draft a form of resolutions. The form of resolution which was decided upon sets forth that Gen. Hayes has 185 votes; that miless it shall be proved that the returns were fracoultently made he will be declared elected, and that the vote of no State can be rejected except by the concurrent action of the two houses.

The joint resolution reported by the House Committee.

The joint resolution reported by the House Committee

on Coinage, authorizing the appointment of delegates to

an international convention to consider the recent

changes in the relative values of gold and silver, occu

pied seme time in the House to-day. The resolution as passed by the Senate empowered the President to ap-

alled, and an amendment reported by the committee

it seemed desirable, invite other nations to such a

conference. Some of the extreme advocates of the silver

sion that a conspiracy exists, between capitalists who

favor the single gold standard and political economists

world, and that the proposed international conference i

for the purpose of carrying that conspiracy int

effect. Their ignorance of the whole subject is evinced by their opposition to this measure. If it was not originally proposed by some of the most prominent bi-metallists in the world, it has been mest

The Senate droned away the afternoon on the bill for

correcting errors in the revised statutes, which passed

verbal errors, and a few of so serious a character as to

becure or change the meaning. Messes, Boutwell and

Cockerful engineer the measure, nobody else taking any interest in the proceeding, except perhaps to inwardly rejeice that a very tediose but necessary piece of legisla-live work had fallen into such industrious and competent

Washington on the decline of silver, printed in The

THIBUNE to-day. One of the most important makes the

author of the letter say that the director of the mint has "not" enough siver bullon on hand for present comage purposes. It should read be has "now" enough on hand,

etc. (For Regular Report of Congressional Proceedings, see Second

CRIMES AND CASUALTIES-BY TELEGRAPH.

the House last June. The bill is a voluminous affair, re

stion upon which the two houses may fail to agree to

ocrats have concluded that the concurrence of both

Washington, Wednesday, Jan. 10, 1977

bearing upon reconstruction. His recent coarse affords

Democratic majority in the Legislature

PUBLICANS.

just made by the Tennessee Legislature.

those reduced the Democratic vote without

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## WASHINGTON.

LEGISLATION AND DISCUSSION. THE PRESIDENTIAL QUESTION DISCUSSED-JUDGE TRUMBULL TO BE SENT TO THE SENATE-SEN-ATOR BOUTWELL TO BE RETURNED-MR. CRAPO ON THE LOUISIANA ELECTION - THE SILVER

A Northern Democratic Senator has disclosed tha his party would readily assent to the inauguration of Gen. Hayes if they could be made to believe that he was fairly elected, as the Presidency would now be fatal to the Democratic party. Representative Crapo, a Republican member of the committee to investigate the election in Louisiana, has returned to Washington and conversed freely in regard to his impressions. It is thought that Judge Trumbull will be sent to the Senate from Illinois, and the Republicans on the whole are not displeased. The return of Senator Boutwell from Massachusetts is expected. The silver question occupied much of the time of Congress yesterday. The House decided not to permit the building of another bridge over the Ohio River at Cincinnata.

THE OTHER PARTY TO TAKE THE PRIZE. DEMOCRATS WHO THINK IT POLICY TO YIELD TO HAYES DISASTERS THAT WOULD FOLLOWS TO EITHER PARTY IF SUCCESSFUL NOW.

WASHINGTON, Jan. 10 .- A Democratic Senator from A Northern State expressed in conversation this week opinions which, if entertained and acted upon by any considerable number of his colleagues, would at once dispose of the Presidential dispute. That'a faw men of influence in both houses hold similar views is certain, but it is doubtful whether they will seek to enforce them upon the hungry politicians of the party who look only to present success, and care nothing for the future if they get places immediately at the public crib. I give below the line of argument pursued by the Senator, and the principal points made during an hour's talk.

If our leading men could be convinced," said he, "that the inauguration of Gov. Hayes would not make fair elections impossible in the future, and would not fasten upon the country the practice of reversing the popular verdict by the tricks of canvassers and returning boards, I think they would be disposed, as a matter of policy, to acquiesce in his installation. We should, of course, make vigorous protests and go as far as we could under the Constitution and laws in asserting Gov. Tilden's right to Haves as the de facto President, and make our appeal to the country. Speaking for myself, I may say that I am fully convinced that the Democratic party would be immeasurably better off if it should fail in its efforts to put the Government into Tilden's hands. If we yield to the demands of our opponents now, under protest, of course we can destroy them utterly within the next four years. We should stand before the people in the attitude of a patient, longsuffering, much-abused, and law-abiding party, and the revulsion in our favor would be irresistible. My own State, which you know is very close, would be earried by 30,000 majority. I believe we could even carry heavy Republican States like Massachusetts. The popular sympathy would be so overwhelmingly on our side that I doubt if the Republican party would hold together after the defeats it would un dergo in the State elections long enough to make another Presidential race."

"Now look upon the other side of the picture," said I, after the Senator had developed this idea to greater length. "Suppose the Republicans yield and permit you to place Gov. Tilden in the White House. Would be not be able to keen the South solid for the Democracy and make it an enduring basis of prolonged political power? That is what Republicans are afraid of. Apart from any desire for future success for their own organization, they dread the effect upon the polities and destiny of the country if the rule of a party whose chief and only trustworthy strength is in the old slave States is once established. The habit of those States of acting together in national affairs has become fixed by twenty years of experience in peace and war. If they could control the Government by merely continning to stand together, is there not every reason to expect that they would, for a generation at least, form a solid mass into which opposition to the Demorracy could no more penetrate than could opp sition to slavery before the rebellion ?"

'I think you are mistaken about the South," replied the Senator. "Mr. Tilden would find there the most difficult element he would have to deal with-I mean the old Whig element. Just as soon as the country is relieved from the rule of men whom the people of the South have come to regard as inimical to their interests, this element will assert it self. It is especially strong in Virginia, North Carolina, Georgia, and Louisiana, and it has accepted the name of Democracy since the war with constant mental reservations. I believe it would be found in open opposition to Mr. Tilden's Administration before he had been two years in office. Why, even now, some of the most conservative men we have in Congress are from the South, and they are the hardest men to reconcile to the policy of the old Democratic leaders. Do you know how many old Whigs there are on the Democratic side of the Senate! Just about haif of the whole strength of the party. One question upon which this element would place itself in antagonism to the old Simon pure Democrats is that of internal improvements. The South wants Government aid for many importast public works, and thinks itself entitled to it as an offset for the bundreds of millions spent by the Republicans in the North upon Pacific railroads and river and harbor improvements. Mr. Tilden and the Northern Democrats are opposed to all such schemes, and they could perhaps control the old Democrats at the South, but the former Whigs

"There are many other reasons why it would embarrass our party to get control of the Government at this time. The distribution of e Ecial patropage would be a serious source of weakness. One of the most enduent Democrats in the country, a man of as much influence as Mr. Tilden himself, while talking over the situation with me a short time ago, spoke of his apprehensions of the effect upon the party of filling the offices with its members. He said that of the thousands who now expect to get office, only a comparative few could be satisfied, and the great army of the disappointed would become lukewarm and disaffected. Now they all work with a will each hoping for a reward. My own conviction a that Mr. Tilden would not succeed well in distributing the spoils. He is very stubborn and opinionated, and if I should recommend a man for postmaster in my town he would be sure not to appoint him if he had anything against him personally, or for any reason preferred some one eise. Ferhaps I should not be offended at this, for I would rejoice if the whole disagreeable business of appointments were taken out of the hands of Congressmen; but many politicians of influence would be mortally offended at such treatment. Tuden is not able to magnetize his party, and with his peculiar unyielding disposition he would soon make a host of enemies."

I asked the Senator why he thought the Republican party would be so easily overthrown in case it

"Because," he replied, "thousands of its members are convinced that Tilden has been elected if all the frauds on both sides were thrown out and the legitimate result could be arrived at. The Republican party would be suspected of having committed a wrong in order to hold on to power, and we should have the public sympathy for magnanimously enlonger a party holds power the more complete is its

during wrong rather than appealing to force. Because, too, change is the law of politics, and the fall when it begins to go down hill," "Republicans," I replied, "look to see their

party rehabilitated under the wise and by the State Returning Board, as described by Mr. Crapo, upright administration of President Hayes. dently thinks the Republicans took measures to have They think he will appoint men of such excellent character to office, and run the Government upon such a high plane that he will win the approval of the country and draw to his support the large body of independent voters who took sides with Tilden last Fall."

"Granted that such would be his course and such the result," said the Senator, "the party would be stronger in character but weaker in voting strength. The high-toned men whom Haves would put in office would bring no recuforcements but themselves, while the active politicians whom some think he would put out are the men who organize campaigns, do the hard and dirty work, and have personal followings. They may be low fellows, but they know how to carry elections, and the party would find itself badly off as soon as they deserted it, as they would be sure to do if they were kicked out of their places. For every vote the party would win it would

"Then you think that the true policy of each party is to allow its opponent to grasp the Presidency

"Yes, and more especially of the Democracy. The Republicans may be content to risk speedy dissoluhave a great future before us if we are wise. We should first seek to get control of the Senate on which to build the solid foundation of a long lease of power. To do this we must control more Northern States, for we have pretty much exhausted the South as a field for reënforcements. If we don't get the Administration now, in two years we shall have the Senate. In four years we can walk over the Presidential track. Then, with full possession of the Government and with our adversaries routed and demoralized, we can hold on for a long time-for 12 years at least, and probably for 16 or 20."

The Senator mentioned the names of several of his associates as entertaining opinions on this subject similar to his own, and spoke of two prominent Republican Senators who, he understood, believed that the salvation of their party would be found in its present defeat. The conversation closed with this remark on my part: "What an astonishing ending to the Presidential quarrel it would be if each party should be eager to force upon its adversary the enormous prize of Executive power. I don't look for such a result, however. You and a handful of prudent, far-seeing statesmen like you may prefer the big bird in the bush, which you feel sure of capturing by-and-by, but the masses in both parties will only look at the little bird in the hand. The average politician will grasp at the substantial benefit of four years in office, beginning 'right now.' After me, the deluge,' is his motto,"

## THE LOUISIANA VOTE.

VIEWS OF REPRESENTATIVE CRAPO, ONE OF THE REPUBLICAN MEMBERS OF THE INVESTIGATING COMMITTEE-THE INFLUENCE OF THE RIPLE CLUES IN THE ELECTION-THE PINKSTON MUR-

IBY TELEGRAPH TO THE TRIBUNE.

Washington, Jan. 10.—Representative Crapo, one of the Republican members of the Louisiana Inves-tigating Committee, returned to Washington yesterday. He was selected as a member of the sub-committee which visited Quachita Parish, and by this means became very familiar with the condition of affairs as disclosed by the estimony of the House Committee in that parish. Mr. Crapo says that on reaching New-Orleans the House Committee spent several days in taking general testimony, the substance of which has been telegraphed North by the agent of the Associated Press. A great number of negro voters were examined, nearly all of of their own free will, and that they knew of no intimidation or violence. The Ounchita Parish sub cor spent seven days in Monroe. A day or two after its arrival there the deputy sergeant-at-arms of the Senate Committee summoned from Ouachita about 60 witnesses of each party to appear and testify in New-Orleans. Mr. McMahon, the chairman of the sub-committee, called the Democratic witnesses as rapidly as possible before they left for New-Orleans, but very few of the Republican witnesses could be found in Monroe. Those who had not gone to New-Or had been there almost ever since the election, claiming to be refugees, and asserting that they did not dare to return home. Mr. Crapo asked the sub-committee to examine Republican witnesses in New-Orleans, as he could not secure their attendance in Monroe; but this request was refused. The evidence taken by the subcommittee in Quachita Parish is therefore almost entirely exparts in its character.

Mr. Crapo says that the existence in the parish of at

lenst six rifle clubs was proved. These clubs were organ-ized last spring, and were separate and independent of the regular Democratic campaign clubs, which were composed of both white men and negroes. The Demowats asserted that the rifle clubs were formed for the purpose of protecting property from depredation by the negroes, and were made necessary by the failure of the constituted authorities to execute the laws prop erly. It was also asserted that colored who joined the Democratic clubs were buildozed by their Republican associates, and that it was necessary for the white Democrats to assure the negroes that they would be protected, even by the use of force if necessary. On the other hand, Mr. Crape says it is a suggestive fact that the rifle clubs were formed just before the campaign began, and that they have held no meetings since the 7th of last November. There was no testimony that these clubs, as such, at tended the political meetings held in the parish prior to the election, but it was shown that members of them, numbering from six to a dozen, did go in their individual capacity to almost every political meeting held by either party. They did not carry their rifles, but were generally armed with pistols. No disturbance occurred at any meeting, but violence was several times appre-hended, and a squad of five or six United States soldiers under command of a lieutenant was sent to these meetings when their presence was requested by the Republi the place of meeting, but the lieutenant mingled with the people, and in several instances interfered to prevent violence. Mr. Crape says that all the evidence tends to show that the people of Quachita Parish evinced the greatest respect for the Federal troops; no collision ever occurred. The number of sol-diers stationed at Menroe was 27, and the membership of the rifle clubs aggregated about 600 men, most of whom were armed with Remington and Enfield rifles. No testimony was obtained showing that the rifle clubs were engaged in the buildowing of negroes, but it was shown that their riding through the country at night to attend their meetings often frightened the negroe-Of course this is negative testimony, and does , ot prove that members of the rifle clubs were not engaged in som of the bulldezing operations. The testimony obtained by the committee in regard to the murder of Dr. Dinkgrave, on the last day of August, 1976, is substantially the same as that which has already been published. Dr. Dinkgrave was a native of Louisiann, and was very highly respected by the white people. He the most influential Republican in the Parish of Quachita, and was unusually active last Summer in organizing the lean ticket. His murder put an immediate stop to the Republican organization, and caused great slarm among the negroes. There is no doubt that it was the cause of he rising of the negroes in the island and of their threa to sack the town of Mouroe. The Democratic theory of Dr. Dinagrave's murder is that he was shot by one Kimperly, a brother of a man whom he killed in self-defense about three years ago; but the testimony on this point

was evidently not sufficient to convince. Mr. Crapo believes that the Pinkston murder to one on which the Republicans cannot afford to rest their case. He says there is abundant evidence of Mrs. Pinksten's but character. It was proved that she was guilty of infanticide on at least two occasions, and of other crimes. The white men who were in the murder of her husband proved alibis to Mr Crape's satisfaction, and the weight of the evidence went to show beyond a reasonable doubt that Pinkston was killed by a pegro named Brooks and his associates, with whom Pinkston had a short time before had a desperate fight,

and who had openly threatened to shoot him. The method of canvassing the vote of Ouachita Parish SEQUELS OF THE DUEL.

MR. BENNETT IN CONCEALMENT. MAY'S RETURN TO THE CITY DEFERRED-RETICENCE OF ALL CONNECTED WITH THE AFFAIR-FEAR

OF LEGAL ACTION-THE GRAND JURY SEEKING INFORMATION FROM MEMBERS OF THE DUELING PARTY-PROBABILITY OF MR. BENNETT'S SAILING In all matters appertaining to the Bennett-

May affair reticence was yesterday the order of the day. Subpense were issued to Dr. Charles Phelps, Hermann Ocirichs, Carroll Livingston, and Howland S. Robbins, all of whom were believed to have been members of the dueling party, directing them to appear before the Grand Jury of the Court of General Sessions, the purpose being to obtain information from them in regard to the duel to answer the questions addressed to him, and was com mitted for contempt. The action of the Grand Jury in deciding to investigate the matter sealed the lips of all these gentlemen, and their friends declared that, as they were the only possible almoners of the news, none had been received since Tuesday night. Mr. Oelrichs, in reply to a question from a TRIBUNE reporter concerning the receipt of a letter by the May family, said that he should be most glad to give THE TRIBUNE any informs tion, its treatment of the ease having been most fair and impartial from the beginning, but he had made it a point since receiving his summons not to converse with anybody for fear of implicating them, and he really had no knowledge to impart whatever. A summons was served upon Mr. Oelrichs yesterday afternoon at the Union Club, but neither Carroll Livingston nor Howland S. Robbins had been found at a late hour last night. It is understood that all these gentlemen will follow the example of Dr. Phelps in refusing to testify before the

The report of James Gordon Bennett's departure in the steamship Parthia, which sailed for Liverpool yesterday, was wholly without foundation. The steamer was watched by reporters for several hours before her departure, and the baggage was inspected without any trace being found of a fleeing duelist. Moreover, the Parthia salied at 2 p. m., and at 4 p. m. Mr. Bennett was in his house at Thirty-eighth-st, and Fifth-ave. Shortly after this time he set out from the house in his carriage, in company with his confidential valet, Albert Vogel, who had sprained his ankle upon the stairs early in the afternoon. There was a trunk upon the carriage, which was driven down Thirty-eighth-st, to the office of Dr. Limpert at No. 274 West Thirty-eighth-st. Dr. Limpert had been summoned to Mr. Bennett's house to care for Vogel's injured ankle, and when Mr. Bennett left the house the physician was taken in the carriage to his office. Thence Mr. Bennett and his valet were driven to Ninth-ave., and the direction taken by the carriage beyond that point was not ascertained Mr. Bennett's destination was unknown at the time of his departure from the house, even to Vogel, but the la ter surmised-as he inadvertently hinted to a bystander -that Mr. Bennett would sail for Europe to-day or on Whether he can escape privately, even by a liberal use of money, if the officers of the law to detain him, is doubtful. The rules of the steamship companies are very stringent in regard to booking passengers, and no one is allowed to beek on board. To smuggle Mr. Bennett out of New-York, if the authorities desired to arrest him, would entali a disgrace upon a steamship company which it is not considered probable that any one of them would be willing to undergo.

No knowledge can be obtained of Frederick May's whereabouts, and it is confidently believed that he has returned to the city. It is rumored that Dr. Pheips has privately stated that May was wounded in the duel. Another report, which is understood to be well founded, declares that Mr. Bennett's party came away from the place of the bostile meeting unaware that any injury had been received by either of the duclists. The May mansion in West Nineteenth-st, was a sealed book to reporters yesterday, and the door was promptly shut in the face of those who were recognized as newspaper inquirers by the negro in charge. Dr. May has made no secret of his pearance of anxiety and alarm when expecting bad news from his son, and will have nothing to say to representatives of the press. The belief is not without considerable strength in the city that Frederick May's return to New-York will be somewhat deferred, in order that he may watch at a safe distance the progress and direction of circumstances and the possibilities of danger from legal proceedings. There is great diversity of opinion as to the question whether or not be was wounded. Some people think it possible that he is feigning to have any question that may arise shall be debated by the two received a would in order to save the Bennett-May duel from becoming too much an object of ridicule and ate Committee will not recommend the submission of any laughter.

DR. CHARLES PHELPS QUESTIONED CONCERNING HIS KNOWLEDGE OF THE DUEL-HE REFUSES TO ANSWER AND IS COMMITTED FOR CONTEMPT-A WELL OF HABEAS COEPUS OBTAINED.

Dr. Charles Phelps, who is believed to have accompanied James Gordon Bennett as surgeon on the expedition to Maryland to exchange pistol-shots with Frederick May, was summoned to appear before the Grand Jury yesterday to testify to his knowledge of the Several questions were asked him by Cortland D. P. Field, the foreman, to all of which Dr. Pheips refused to give any answer. He was then taken before Judge Gildersleeve in Part I. of the Court of General Sessions and the questions and answers were submitted to the court. Judge Gildersiceve said there could be no doubt that the questions were proper, and held that the witness must answer. By direction of the court Dr. Phelps was taken back to the Grand Jury room, where the questions were repeated. The doctor still refusing to answer, Judge Gildersleeve ordered him committ for contempt of court without bail. Dr. Phelps then re-tired to the clerk's office, where he remained for two or three hours in consultation with his counsel, A. Oakey Hall, his friends in the meantime busying themselves in hunting up a Judge to whom they could apply for a writ

of habers cornus. Dr. Phelps took his commitment very calmly and did ot betray the least excitement. His refusals to answer the questions before the Grand Jury were made very courteensiy but firmly, and he had evidently fully d termined, by advise of counsel, not to give any informanon whatever. After his commitment Dr. Phelps was approached by many of his friends and acqueintences, but he positively refused to converse with any person except his lawyer, and desired to avoid public notoriety as far

Judge Donohne was applied to for a writ of habeas corpus, but the petition being informal he at first re-fused to grant the writ. After the informality was amended, having no alternative, he granted a writ returnable this morning. The petition of Dr. Phelps, omitting some verbiage, is as follows:

omitting some verbiage, is as follows:

The petition of Charles Paelps shows that he is an elector and ettizen of the Cky and State of New-York and is by profession a physician and surgeon residing at No. 117 East Nim-teenth st., in this city, and that he is now committed, defanced, and in custosy, and under arrest by ant under process from the Court of General Sensions of the Peace in and for the Cky and County of New-York, as he is informed. \* That the cause or pretense of such imprisonment under arrest, according to the best of the knowledge and besief of your petitioner, is that, being subpensed to appear as a witness before the Grand Jury of this county, he attended before that body, and was asked certain quartions randing to show that he was

questions which he refused to answ r before the Grand Jury are as follows:

Q. At whose request or intervention did you leave New-York on Sunday morning! The commitment recites in more formal words that the

Grand Jury were engaged in an inquiry into an offense against the laws of the State in the departure of persons from this State for the purpose of fighting a duel, and that Dr. Phelps has refused to answer questions in rela-

At 5 o'clock, accompanied by his friend, John J. Foley, and Deputy Sheriff McGonigal, Dr. Phelps went to the Sheriff's office. The three remained there for a few moments, and then entering a carriage, were driven up town. In company with the Deputy Sheriff, Dr. Pheips visited a few of his patients yesterday afternoon, and afterward dined at the Lotos Club. There, at a late hour last evening, a TRIBUNE reporter found him. Dr. Phelps, nowever, said he must decline to make any statements in regard to the duel. It certainly would not do after re fusing to reply to the Grand Jury. He remained during the evening and night in the nominal custody of the Sheriff, but with his friends, although it was stated at the Sheriff's office that the prisoner would be taken during the evening to Ludlow Street Jail, where he would re main until he was required to appear in court this morn-

Dr. Phelps has acted entirely upon the advice of John J. Foley and A. Oakey Hail. Mr. Hall said last evening that he also must decline to make any statement on the subject. He added that it was his personal impression, however, that the whole matter was a huge joke.

John J. Foley stated that he acted as a personal friend rather than as counsel for Dr. Phelps, and only re-quested Judge Glidersleeve to allow Dr. Phelps to consult counsel. Mr. Hall being familiar with this class of cases was at once applied to by him on Judge Gilder-

Inquiry was made of District-Attorney Phelps by THIBUNE reporter yesterday in regard to the action of the Grand Jury and the court, but he declined to express any opinion or give information as to his future action as prosecuting officer in enforcing the law against dueling. He said that he was bound to maintain the secreey of the proceedings of the Grand Jury, and that he could not eveal his own plan of action at this time. During the afternoon a number of persons who were supposed to have definite information as to the duel were at the Dis-trict-Attorney's office, but it is believed that ne witnesses of the affair were secured. Neither of the principals in the duel has yet been indicted or arrested.

At midnight inquiry showed that Dr. Phelps was not at the Ludlow Street Jail, and there was strong reason to believe that he was then at the Lotos Cinb, although the employes of the club denied it. If not there, it is probable that he passed the night with his friends up

STORY OF AN EYE-WITNESS. THE ACCOUNT GIVEN BY A FARMER WHO CLAIMS TO HAVE SEEN THE DUEL.

The Philadelphia Times of yesterday publaked the following in regard to the duel from a correspondent at Marydell, Md.;

liabed the following in regard to the duel from a correspondent at Marydell, Md.:

Your correspondent took a special train when the fact of the duel became known to him, and has been all over the field, accompanied by a man who saw the fight and was fixing a fence when the parties appeared to settle the quarrel. Marydell is a lonely place, barren and forbidding, on the Maryland and Delaware Railroad and just on the State line. A few houses scattered over a wintry plain, an old station-house, a barra-like building where peaches are canned, a tuft of scrubby wood, and a rained stone wall to mark the division between Maryland and Delaware, and you have a Winter picture of this now famous dueling place. My informant tells me that the party when they arrived from Clayton consisted of six, although I learn from other sources that one of the company was left at the junction to watch for any special train or constability, and another was left at Shaughter's for purposes of precention, making the May-Bennett party eight, all told. There is no doubt that Fred. May, his consin, Dr. May, and one friend, name unknown, came to Dover from Baltianers and joined the Bennett party at Marydell about 2 o'clock.

The preliminaries were all arranged by the seconds in a few moments, beyond the hearing of any one, and teen the party of seven walked to the small wood east of the farm owned by Lawyer Marphy of New-York and occupied by McGinnis, where there is a slight depression in the ground. From the description of the seconds I think Bennett was supported by John Heckscher, a good pigoon shot and the principal in the Gray-Heckscher duel that created such a scandal about two years ago; and May was seconded by his cousin, Dr. May of Battimore. Nothing was thought of the movements of the men at first, the impression sening first they were railroad speculators or possible parchasers of land, as some lints of that character were carelessly thrown out. A runtly inderever at I marked "C.P., New-York"—Dr. Charles Phelps.

When the men faced each other, my farmer informant thinks the sun was shirling in the eyes of the man described as Bennett, and his story is that he did not think the men meant to kill each other until he saw their supporters paring off a distance in the sunw. Then, who are saw the pistols, he got behind a fodder-rick, for he thought they meant business.

"It was like a dream," continued the man; "I think it see 'em now, just beyond that old stamp. I hand somebody say, 'Are year ready? I then there was a starp report, and both men stood just as they did at first,"

"You did not know that one was int?" "Not until it saw one of May's friends, as you call hire, go to him and examine his arm and side. I think it was his ar a wes hit."

THE MARCH FROM THE PROPERTY-EXTRAORDINARY COLD WEATHER-MERCURY PROMEN-RESULTS ON THE EXPEDITION SATISFACTORY.

FROM AN OCCASIONAL COURSESPONDENT OF THE TRIBUNE. FORT FETTERMAN, Dec. 30 .- Crazy Horse, with commendable alacrity, got away from the Powder, the Tongue, the Rosebull, and all other places where he ought to have been and retired to some se linded spot on the Little Missouri. In the mean time such muterial objects as corn and oats disappeared before the hunger of the mules, and It became evident to Gen. Crook that there was no use waiting any longer for semething to appear. Orders were then issued, and the ecommon reached this point yesterlay from Belle Fourche, and the intervening eight days have been character, zed by a thermometrical condition perfectly abnormal. It is weather as much as this expedition did. A dozen or more degrees does not make much difference, and when by a simple wall of canvas, the defense is entitled probably to more credit than when the stout wails of an exploring ship are depended upon. On the 23d the thermometer sank to 20° below zero, and all night long the uncomfortable mules, turned loose to pick up what grass they could flud, perambulated brough the camp and stumbled over tent-cords in search of adjacent food. Early on the 24th the command started out for a long march to obtain water. It was colder than there is any necessity of describing; the animais were covered with hoar frosts; the creaking of the wagon wheels was fearfully suggestive of frigidity, and the muleteers shapped their flagers in a lively way to keep them warm. Teat night, Christmas eve, the force reached the greasewood place. The mercury was frozen in the buib. Water was simply ice, and one had to chop out with a hatchet the means of making his coffee. As for washing one's face, that was a refinement not thought of. Wind River Creek was

a refinement not thought of. Wind River Creek was reached on the 27th. There a forage train was met. Two days more marching brought the troops here. The weather had nodersted—true, yesterday morning it was 27° below zero, but that was more tornality.

The Powder River expedition therefore in fall accompli. Gen. Crook is satisfied with the results. The severe now given to the Cheyemes by Mackenzie will create in the minds of those savages a feeling of dispost at being hostile. Although Crazy Horse has not been struck yet, he are been made very uncomfor able. Even a hostile has his notions of confor, and the last two months have been, if reports are correct, a continual 1st of May to

NEW-JERSEY POLITICS.

THE CONTEST FOR THE SPEAKERSHIP BALLOTING BEGUN YESTERDAY - ANXIETY AND DOUBT ON BOTH SIDES. [FROM THE SPECIAL CORRESPONDENT OF THE TRIBUNE.]

TRENTON, Jan. 10 .- There is determination

in the method the Democrats have taken to control the organization in the House. They have been acting as if they thought they had discovered a weak spot in the

Republican ranks. Through the two short morning and

afternoon sessions, when no solution of the dead lock

scemed immediately possible, they maintained Na-poleonic composure. It is apparent that they fear no treachery on the part of any of their own number, and the over-confidence which they show indicates that they are in secret consultation with one, and possibly two Republicans. The House stands 30 to 30. The Democrats have the impudence to set up a claim to the Speakership on the ground that the State gave a Democratic majority at the Presidential election, they want besides, the assistant sceretaryship and journal clerkship. The Republicans, they say, may have the rest. They promise to make the Committee on Elections an even number, which they think would lead to a decision of the Powers contested case on its merits. The in demanding the Speakership. The Republicans are very indigmant at the refusal of two members to follow the majority, and the cancus meetings to-day have been stormy. It is strongly suspected that one of the two Republicans who cannot be bound to a bold fight was committed to Rabe's support on sectional grounds before he corporation whose interests are to be at least defended. is the proper explanation of the course he is pursuing. These two Republicans are men of such character that they might have voted for a Democratic Speaker and it on moral principles to conserve State inter-ests, as they understood them. If they are really actuated by such motives the Republicans do not comprehend why they should need to be in such close communication with the Democrats. This excited strong feeling, and the subject has been so openly disdusced in the caucus meeting that these members will be bold and determined indeed if they do not forsake private for public interests. They are friends of John Y. Foster, and Foster's expectation of getting the clerkship are based on some such compromise. He says that he

When the House was called to order at 10 o'clock, every member was found in his place, 30 confronting 30. The Democrats desired that the minutes of the previous day should not be read, but Mr. Foster, who, as clerk of the last House, was presiding officer, compelled them to take official cognizance of their absence of the previous day, which provented a quorum. Certificates of election were received and representatives were swarn. The Democrats offered a resolution to make a majority of all the members of the House necessary to a choice of officers, and cited the organization of the Legislature of 1865 as a precedent. There was a tie in the House at that time, and Mr. Bergen said he offered the resolution so as to quiet all apprehension of a surprise. Mr. Griggs, who offered to take the lead for the Republicans, moved to lay the resolution on the table. Four Republicans refused to follow him, and the resolution passed without

has not counseled them to any backsliding.

fixed to follow him, and the resolution peased without opposition. The Republicans nominated Alden C. Scovel of Camden for Speaser, and the Democrats Endolph Rabe of Hoboken. Two bailots were taken without result, the Republicans desiring to adjourn before the second oallot. After the second failure the Democrats acquiesced in an adjournment until 3 p. m.

The Republicans held a caucus meeting in the Assembly Chamber at 2 p. m. An effort was made to bind members to a resolution to stand out firmly against the Democratic overfures for a compromise. One, and possibly two Republicans, refused to be bound. It is said that this medent promoted much heated discussion. When the House assembled at 3 p. m. it immediately adjourned until 8 p. m. The two Republicans were not prepared to act with the Democrats. The Republicans at once hold another caucus meeting, which was not harmonious. The genuiner who was suspected of conference with the Democrats threatened to withdraw if the resolution to bind the Republicans to the principle of "Speakership of no compromise" was renewed. The Republicans urged him to indicate the course he meended to pursue, so as to allow them time to make the best possible arrangement with the Democrats. The denunciation and protestation evidently had the effect of strongthening these two Republicans in their addression to the party faciles, for after this second scales in the addression to the purport active, for after this second scales in the addression to the purport active, for after this second scales in the addression to the purport active, for after this second scales and a protestation evidently had the addression to the purport active for after this second scales in the addression to the purport active for after this second scales in the second scales in the second scales in the second scales in the scale and opening the second scales in the scale and opening the second scales in the scale and opening the second scale and opening the second scale and opening the second scale and opening t

PROGRESS OF THE STRIFE.

FIVE DALLOTS WITHOUT A CHOICE-SIGNS OF RE-PUBLICAN WEAKNESS-ESSEX MEMBERS WAVER-

ING. (BY THEORAPH TO THE TRIBUNE.) TRENTON, N. J., Jan. 10-11 p. m .- Night

the Speakership. After three fruitless journeys to-day between hotels and State House it cannot be said that the Republicans occupy so counted definitely on securing a majority at the evening session! were almost without any hone of this after the p. m. session was to worry the Republicans. From representative was in his place, and the gulleries were filled with spectators. Members threw more snap into the balloting than at the morning session. Three times resulted in a tie. The Republicans then made a strong fort to seems an adjournment until Monday, but the Democrats defeated the motion with the aid of five Republicans, and sectaed determined if they could not have their own way that no one else should have his. A motion to adjourn until 10 a.m. to-morrow was carsied. The Democrats have been remarkably cool in pointment shows Got they built very high upon expectathe contrary, have shown more mettle this even-ing. Each side expresses wonder at the illibertheir picinbers who were supposed to be wavering. They postated a compettee with discretionary powers see if something could not be done to secure greater otiesion, and if nothing could be done to patch up a ampromise. Four Republicans voted with the Denies making 31, a majority of the full fiouse, necessary to the election of offers. The rame four, with ore added, voted with the Democrats to defeat a motion for addessament until flouriny. This evening it is rame out in the beinger is right to be beinger to rame of that the Democratis to defeat a motion for addessaring so it is an agreement to vote for a Democratic Season. It yas foretold a month ago that Rabe would see the Republican votes from Newark. Well-informed the disk fear that the Democratic arrangement with the sex keepiblean will succeed to-morrow it is thered to a a shrewd, notblean manipulator of Rabes Las effected this arrangement. His presence has desired to-day to assist in breaking up the combination, and he refused to come. It is asserted that Passes seeks by such an arrangement to secure a Democratic vote for George A. Halsey for United States Senator, in case of an uncompromising fight between Green and McPherson. The contest in the House is supposed to have no other Schatorial significance. McPherson and Abbett are contested to placete Dayton's friends.

PHEADELPHIA, Penn., Jan. 10.—A large number

Carro, Ill., Jan. 10.—The ice is not so heavy in the

POUT ROYAL, S. C., Jan. 10.4 The Enssian correcte Hogathi, 2.100 tons, capt, Chatroff, 315 men, has arrived here. She will coal to morrow and proceed to Hampton MIDDLEBURY, Vt., Jan. 10.—The annual meeting

of the Vermont Sheep Breeders Association was held her lo-day with a large attendance. N. T. Sprague of Brandor

Woodstock, Vt., Jan. 10.—Henry Gravlin, who is been on trail for the murder of Herbert A. White on the

WINDERG, Manitoba, Jan. 10.—The small-pox is neving executive anotherent. There is not a single uniforced come in timin. It has sine brokets out in high sine where the icclanators live. Three surveying parties have been quarter.

GREEN RIVER, W. Jan. 10.—Eleven miners of the camp he was no Jan. 5 for supplies from the heat of Wood River, and all brought coarse good with them. They to be a few and the camp has no the digging, working with rockers, and all they and moved.

per about 350 a day and anward.

PROVIDENCE IC. 1., Jan. 10.—The steamer City of Pitchburg from and shelloud for New York, collided with the British school v Marcha A., Capt. Glass, from 81 Jong. N. 15., for New York, as 3 o clock this morning, between Block Island and Watch Hill. The schooler's bow was est of and the became was slightly damaged, but towed the schooler to Newport.

MIDDLETOWN, N. Y., Jan. 10.—In the case of John summ of Bosevinic, Ulater County, against the Krie Italiway Company, tried at the Orange County Circuit Court, before Judge 1. O. Dykman, the just to day gave a verdict for the plaintiff for \$4.500 camages. The plaintiff and his jaw heusen by a fall received while alighting from a train is April, 1876, at Busquehaus, having been carried past the sisties.

PITESFIELD, Mass., Jan. 10.—BI TELEGRAPH.

well-known citizen of this place, was indicted by the Grand
lary to-day for incest. WOODSTOCK, Vt., Jan. 10:- In the trial of Graulin

der in the first degree.

BATH, Me., Jan. 10.—In the Supreme Court to-day
N. H. Williams obtained a residet against James E. Proble for
\$7,000 for the seduction of his daughtor. PENSACOLA, Fla., Jan. 10.—The south-bound mail rate on the Pensacola Railroad was thrown from the track ast right by a rail misplaced by wreckers. M. Ruller, fire-tan, was fatally injured, and Stephen Ledbetter, engineer, with hurt.